



	:	STATE OF NEW JERSEY
	:	
	:	FINAL ADMINISTRATIVE ACTION
	:	OF THE
	:	CIVIL SERVICE COMMISSION
In the Matter of Andrea Fair,	:	
Administrative Assistant 3	:	
(PS9718N), Department of Labor and	:	
Workforce Development	:	Examination Appeal
	:	
	:	
CSC Docket No. 2020-1430	:	
	:	

ISSUED: APRIL 17, 2020 (SLK)

Andrea Fair appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the requirements for the promotional examination for Administrative Assistant 3 (PS9718N), Department of Labor and Workforce Development.

The education requirement for the subject examination was possession of a Bachelor’s degree. The experience requirements were one year of experience in a business or government entity providing administrative support service and/or coordinating work activities. Applicants who did not possess the required education could substitute the required experience on a year for year basis, with 30 semester hour credits being equal to one year of experience. The requirements needed to be met by the May 21, 2019 closing date. The appellant was the only applicant and the examination was cancelled due to a lack of qualified candidates.

On the appellant’s application, she indicated that she possessed 16 college credits. Additionally, she indicated that she was provisionally serving in the subject title from August 2018 to the May 21, 2019 closing date, a Secretarial Assistant 2 from May 2016 to August 2018, a Head Clerk from March 2012 to May 2016, a Principal Clerk Typist from August 2005 to March 2012, a Senior Clerk Typist from November 2003 to August 2005 and a Clerk Typist from April 2003 to November 2003. Agency Services credited the appellant with two years and nine months of experience based on six months for her 16 college credits, 10 months for her provisional service in the subject title, and two years and three months for her service

as a Secretarial Assistant 2, but determined, per the substitution clause for education, that she lacked two years and three months of experience.

On appeal, the appellant describes in detail the duties that she performed while provisionally serving in the subject title, as a Secretarial Assistant 2 and as a Head Clerk. She argues that this performed over six years of the required duties in these titles. Additionally, the appointing authority confirms that the appellant performed the required duties as described by her in these titles.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:4-2.6(c) provides that, except when permitted for good cause, applicants for promotional examinations with open-competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process.

The record demonstrates that in addition to performing the applicable duties from May 2016 to the May 21, 2019 closing date while provisionally serving in the subject title or as a Secretarial Assistant 2, the appellant performed applicable out-of-title duties as a Head Clerk, as the appellant describes in detail how she performed the required duties in this title and the appointing authority confirms that she was performing the applicable duties in this title from March 2012 to May 2016 due to business necessity. Moreover, the appellant continues to serve provisionally in the subject title and the eligible list is incomplete as the examination was cancelled due to a lack of qualified candidates. Accordingly, in this matter, the Civil Service Commission finds good cause under *N.J.A.C.* 4A:4-2.6(c) to accept the appellant's out-of-title work experience for eligibility purposes only, and admit her to the examination.

This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that the appeal be granted, the cancellation of the examination be rescinded, and Andrea Fair's application be processed for prospective employment opportunities only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 15TH DAY OF APRIL, 2020

Deirdre' L. Webster Cobb

Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals
and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Andrea Fair
Tennille McCoy
Kelly Glenn
Records Center